

Energy Efficiency and Electric Infrastructure in the State of North Dakota

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In any given state, there are a range of stakeholders well-positioned to contribute to the design and delivery of effective energy efficiency programming. This factsheet provides an overview of relevant entities in the state of North Dakota, along with highlights of state policies and practices related to energy efficiency. The entity types described and highlighted below are typically involved in electricity and/or energy efficiency related matters in states. Other important stakeholders such as trade associations, industry, and local businesses are not included as they vary significantly from state to state.

Electric Market Overview

Electric Utilities

Privately- and publicly-owned electric utilities generate, transmit, distribute, and/or sell electricity primarily for use by the public. These include investor-owned electric utilities, municipal and state utilities, Federal electric utilities, and rural electric cooperatives.¹ The following summarizes electric utilities in North Dakota by type:

- *Investor-Owned Electric Utilities:*
Xcel Energy: <http://www.xcelenergy.com/>
Montana Dakota Utilities (MDU): <http://www.montana-dakota.com>
Otter Tail Power Company: <https://www.otpc.com/>
- *Member-Owned (Electric Cooperative):* North Dakota has 19 electric cooperatives: <https://www.ndarec.com/content/ndarec-members>
- *Municipally-Owned/ Publicly-Owned Utilities:* North Dakota has 2 municipally- or publicly-owned electric systems in the state:
- *Other:* 1 Wholesale Power Marketer²

Electric utility service areas (as available):

<https://www.otpc.com/about-us/#service-area>

<http://www.montana-dakota.com/utility-menu/about-us/communities-served>

<https://www.xcelenergy.com/staticfiles/xs/Regulatory/Regulatory%20PDFs/06-App-C-About-Xcel-Energy.pdf>

Status of Electric Industry Restructuring

Vertically integrated utilities are responsible for generation, transmission and distribution of power to customers. In the 1990's, many states began to unbundle the electricity supply and distribution functions of investor-owned utilities on the theory that only the wires (the fixed network system) constituted a natural monopoly, while the generation of power did not. In states that have undergone restructuring, individual retail customers can choose their supplier but still receive delivery over the power lines of the local utility.³

- North Dakota does not have a restructured electric industry.
http://www.eia.gov/electricity/policies/restructuring/north_dakota.html

¹ Source: EIA

² Sources: EIA 2013 Form EIA-861 Utility Data (<http://www.eia.gov/electricity/data/eia861/>) and North Dakota Public Service Commission (<http://www.psc.nd.gov/>)

³ Source: The Regulatory Assistance Project (RAP)

Regional Transmission Organization (RTO)/Independent System Operator(ISO)

About 60% of U.S. electric power supply is managed by RTOs or ISOs: independent, membership-based organizations that ensure reliability and usually manage the regional electric supply market for wholesale electric power. In the rest of the country, electricity systems are operated by individual utilities or utility holding companies. RTOs/ISOs engage in long-term planning that involves identifying effective, cost-efficient ways to ensure grid reliability and system-wide benefits. Coordination and cooperation between utilities, state PUCs and RTOs/ISOs is often required to advance energy efficiency goals.⁴

- North Dakota is part of the Mid-Continent Independent System Operator (MISO): <https://www.misoenergy.org> and the Southwest Power Pool (SPP): www.spp.org

Utility Oversight and Planning

Utility Oversight

Public utility commissions (PUCs) oversee goals, investments, and ratemaking for investor-owned electric utilities. Most of this oversight is conducted via specific regulatory proceedings. Municipally-owned utilities are governed by a local city council or an elected commission, and member-owned/cooperative utilities are governed by a board elected by members. In a few states, PUCs have oversight over some aspects of municipally and member-owned utility performance such as energy efficiency resource standards.⁵

- The Public Utilities Division of the North Dakota Public Service Commission (<http://www.psc.nd.gov/jurisdiction/electricgas/index.php>) implements the Commission's statutory responsibilities concerning the regulation of retail electric service provided in North Dakota. Stated broadly, these responsibilities include:
 - Regulation of the rates, terms and conditions of retail electric service provided by investor owned utilities (IOU's). The Commission does not have jurisdiction to regulate rates, terms and conditions for rural electric cooperatives (REC's) or municipal providers;
 - Prescription and enforcement of safety requirements for electric service provided by all providers;
 - Resolution of territorial disputes between IOU's and REC's; and
 - Siting of energy conversion and transmission facilities.

Integrated Resource/Procurement Planning

Integrated resource plans (IRPs) are utility plans for meeting forecasted annual peak and energy demand through a portfolio of supply-side and demand-side resources over a specified future period. As of early 2015, integrated resource planning is required or present in more than 30 states, including most vertically integrated/non restructured states. In states that are restructured, regulated distribution only utilities may be required to develop procurement plans to service customers that do not choose a competitive retail supplier. Energy efficiency is considered as a demand-side resource but the degree to which it is included in resource/procurement planning is influenced by other factors including policies such as energy efficiency resource standards or requirements that all cost effective energy efficiency be considered.⁶

- Xcel Energy's most recent IRP 2016-2030: <https://www.edockets.state.mn.us/EFiling/edockets/searchDocuments.do?method=showPoup&documentId=%7B129FAC82-D66E-46B6-86B7-D12E5028E1DF%7D&documentTitle=20151-105858-04>
- Montana Dakota Utilities (MDU) most recent IRP 2015: <http://www.montana-dakota.com/docs/default-source/2013-irp/2015-mdu-irp-report---volume-ii.pdf?sfvrsn=2>
- Otter Tail Power Company most recent IRP 2014: <https://www.otpc.com/about-us/environmental-commitment/integrated-resource-plan/>

Statewide Planning Process

States sometimes undertake executive or legislatively driven statewide energy planning processes. These plans may be completely independent of utilities or may explicitly engage utilities.

⁴ Source: [EPA Energy and Environment Guide to Action](#)

⁵ Sources: [EPA Energy and Environment Guide to Action](#) and RAP

⁶ Source: [EPA Energy and Environment Guide to Action](#)

- Empower North Dakota Comprehensive State Energy Policy 2008-2025: <http://www.naseo.org/Data/Sites/1/documents/stateenergyplans/ND.pdf>

Energy Efficiency Potential Studies

Energy efficiency potential studies determine the amount of technical, economic, and achievable potential for energy efficiency in a region, state, or utility service territory. Energy efficiency potential studies may be undertaken by state agencies or energy efficiency advocacy organizations, or by utilities as part of or to inform compliance with a regulatory requirement. The following are recent energy efficiency potential studies:

- North Dakota Energy Potential Study 2009: http://www.synapse-energy.com/sites/default/files/SynapseReport.2009-12.PJ_North-Dakota-EE-Study.09-067.pdf

Energy Efficiency Policies/Activities

Statewide Clean Energy Policy/Energy Efficiency Energy Resource Standard(s)

Energy efficiency resource standards (EERSs) require obligated parties—usually regulated retail distributors of electricity—to meet a specific portion of their electricity demand through energy efficiency. As of March 2015, 27 states have some type of energy efficiency requirement or goal.⁷

- North Dakota does not have a mandatory energy efficiency policy. <http://database.aceee.org/state/energy-efficiency-resource-standards>

Current Utility-Administered Energy Efficiency Programs

Energy efficiency is regarded as an important utility resource with co-benefits that include reducing air pollution, saving customers on utility bills, and creating local jobs. While the majority of large-scale energy efficiency programs are funded by utility ratepayers, program administration may be by the utility, the state, an independently awarded program administrator or a combination of entities. Below are available links related to ratepayer-funded energy efficiency programs offered in the state⁸:

- *Program Administrator:* Xcel Energy: http://www.xcelenergy.com/Energy_Solutions
Most recent program filing: Filings not available in the public domain.
ENERGY STAR Partner since 2001
- *Program Administrator:* Montana Dakota Utilities: <http://www.montana-dakota.com/conservation/savings-for-your-home>
Most recent program filing: Filings not available in the public domain.
ENERGY STAR Partner since 2006
- *Program Administrator:* Otter Tail Power Company: <https://www.otpc.com/save-energy.-save-money/>
Most recent program filing: Filings not available in the public domain.

Other Key Stakeholders

State Air Office:

- North Dakota Department of Health, Air Quality: <http://denr.sd.gov/des/aq/monitoring/state-mo.aspx>

State Energy Office:

- North Dakota Energy Infrastructure & Impact Offices: <https://www.nd.gov/energyimpact/>

⁷ Ibid.

⁸ For other energy efficiency program offerings in the state, visit: <http://programs.dsireusa.org/system/program?state=ND>

Consumer Advocate(s)

Most states also have one or more consumer advocacy organizations. Consumer Advocates are often concerned with maintaining low rates and ensuring equitable treatment of all customer classes.⁹

- North Dakota Attorney General, Consumer Protection: <http://www.ag.nd.gov/cpat/CPAT.htm>

Others Public Interest Groups

Groups representing environmental and other public interests are often involved in providing public input or technical expertise during regulatory proceedings or stakeholder processes. The following energy efficiency organizations/nonprofits are active in the state or region:

- Midwest Energy Efficiency Alliance (MEEA): <http://www.mwalliance.org>
- Sierra Club North Dakota: <http://www.sierraclub.org/north-dakota>
- The Nature Conservancy: North Dakota:
<http://www.nature.org/ourinitiatives/regions/northamerica/unitedstates/northdakota/index.htm>

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* Revised December 21, 2015. To alert the U.S. EPA of substantial policy changes or program updates, please contact eeaccountmanager@icfi.com

⁹ Source: [EPA Energy and Environment Guide to Action](#)